

JONES, J

ELENA PARASKEVAS-THADANI (EP-7758)
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
885 Third Avenue
16th Floor
New York, NY 10022-4834
212.583.9600

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAVIER OLASCOAGA, Individually, and on Behalf
of All Other Persons Similarly Situated,

Plaintiff,

-against-

TEN SEVENTY ONE HOME CORPORATION,
JOSH NEUSTEIN, ARTHUR GONCHER and
JOHN DOES #1-10 d/b/a HOME CORPORATION,

Defendants.

08-CV-3806 (BSJ/Fm)

STIPULATION AND
TOLLING AGREEMENT

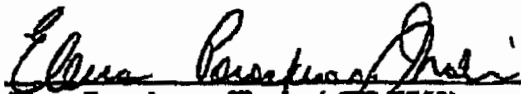
IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff JAVIER OLASCOAGA, Individually, and on Behalf of all Other Persons Similarly Situated ("Plaintiff") and Defendants TEN SEVENTY ONE HOME CORPORATION, JOSH NEUSTEIN, ARTHUR GONCHER and JOHN DOES #1-10 d/b/a HOME CORPORATION (together "Defendants"), thorough their undersigned attorneys, that the Defendants' time to answer, move, or otherwise respond to the Complaint in this matter shall be extended for 30 days from June 9, 2008 to and including July 8, 2008 and that Defendants waive any defense based on lack of personal jurisdiction and/or improper or defective service of process.

IT IS FURTHER STIPULATED AND AGREED, by and between Plaintiff and the Defendants, through their undersigned attorneys who state that they have been authorized to

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/9/08

enter this Stipulation, and Tolling Agreement, that the statute of limitations period for alleged violations of the Fair Labor Standard Act ("FLSA") set forth in the Complaint by individuals purporting to be similarly situated to Plaintiff who may Opt-In to the collective action shall hereby be deemed tolled for the period of 30 days from June 9, 2008 to and including July 8, 2008 (the "Tolling Period").

Date: June 3, 2008
New York, New York



Elena Paraskewas-Thadani (EP-7758)
LITTLER MENDELSON
A Professional Corporation
885 Third Avenue
16th Floor
New York, NY 10022.4834
212.583.9600

Attorneys for Defendants



Jeffrey M. Gottlieb (JG-7905)
THE LAW OFFICE OF JEFFREY M.
GOTTLIEB
150 East 18th Street, Suite PHR
New York, NY 10003
212.228.9795

Attorneys for Plaintiffs

SO ORDERED


U.S.D.J.

June 9, 2008